



Recommendation for Action

File #: 19-2511, **Agenda Item #:** 80.

8/22/2019

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of a 0.0582 acre (2,536 square feet) tract of land, situated in the J. Applegait Survey No. 58, being a portion of Lots 1-5 and 6, Block G, Mockingbird Hill Section One, a subdivision recorded in Volume 5, Page 159, Plat Records of Travis County, Texas, and conveyed to Kanton Labaj in Document No. 2000197463, Official Public Records, Travis County, Texas, in the amount of \$53,436, for the public use of upgrading the capacity of the overall electric system, and ensuring the distribution of safe and reliable electric services to the community. The owner of the property interests is Kanton Labaj. The property is located entirely within District 4, at 10631 N. Lamar Blvd., in Austin, Texas, 78753. The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd., crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive., in Austin, Travis County, Texas.

Lead Department

Austin Energy

Fiscal Note

Funding is available in the Fiscal Year 2018-2019 Capital Budget of Austin Energy.

For More Information:

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Council Committee, Boards and Commission Action:

July 15, 2019 - Recommended unanimously by the Electric Utility Commission on a 10-0 vote, with Chair Ferchill absent.

Additional Backup Information:

Austin Energy is upgrading the four-mile Transmission Circuit 811 from 69kV to 138kV to provide redundancy to increase the safety and reliability of the electric service system and improve system performance.

Additional easement widths are necessary for safety and clearance requirements pursuant to the National Electric Safety Code, and for access and maintenance of Circuit 811. Austin Energy identified 103 easement tracts necessary for this upgrade project. To date, 34 property owners have accepted appraised values; 19 are unwilling to accept the appraised values; and 50 are in negotiations.

The current fair market value of the subject tract, as determined by an independent, third-party appraiser, is \$53,436. The City attempted to purchase the needed property for this amount, however the City and the property owner were unable to agree on the value of the tract. The Law Department requests authorization to file an action in eminent domain on behalf of the City of Austin.